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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,792	09/12/2003	Hsu Ming Ta	2002-0709/24061.489	8354

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EXAMINER	
PHAM, THOMAS K	

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,792	TA, HSU MING	
	Examiner	Art Unit	
	Thomas K. Pham	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

First Action on the Merits

1. Claims 1-29 of U.S. Application 10/661,792 filed on 09/12/2003 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim Rejections - 35 USC § 102

6. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0198964 A1 ("Fukazawa").

Regarding claim 1

Fukazawa teaches a method of alerting customers of real-time manufacturing production status using the World Wide Web and Internet (see page 1 paragraph 2, "... remotely monitoring and controlling manufacturing operations ..." and paragraph 5, "The MES ... connected to sensors ... to monitor and control the manufacturing operation"), comprising:

a. allowing said customers to define their own alerts and conditions for said real-time manufacturing production status on a World Wide Web page (see page 3 paragraphs 47 and 48, "... a wireless device ... for monitoring and controlling the operation of manufacturing facility 10 ... send a request for a specific web page ...");

b. setting of said alerts and conditions by product, lot, stage, and production status remotely by said customer using said World Wide Web page (see page 3 paragraph 39, "... permit entry of the newly desired equipment alarm, job inhibit or release authorization ...");

c. checking the alert conditions when work in process data is updated (see page 3 paragraph 38 and page 4 paragraphs 55-56), and

d. sending real-time said alerts automatically to said customer when said alerts and conditions are met (see page 4 paragraphs 52-54, "... plays sounds, and provides requested information to the user ...").

It should be noted that the system of Fukazawa is set up for monitoring and controlling production at a manufacturing facility including a manufacturing execution system (MES). The

MES, as described in paragraph 5, is connected to many sensors in which enable the system to check against user's defined conditions for alerting user of statuses.

Regarding claim 15

Fukazawa teaches a system of alerting customers of manufacturing production status using the World Wide Web (Web) and Internet (see page 1 paragraph 2, "... remotely monitoring and controlling manufacturing operations ..." and paragraph 5, "The MES ... connected to sensors ... to monitor and control the manufacturing operation"), comprising:

a. means for allowing said customers to define their own alerts and conditions for said real-time manufacturing production status on a World Wide Web page (see page 3 paragraphs 47 and 48, "... a wireless device ... for monitoring and controlling the operation of manufacturing facility 10 ... send a request for a specific web page ...");

b. means for setting said alerts and conditions by product, lot, stage, and production status remotely by said customer using said World Wide Web page (see page 3 paragraph 39, "... permit entry of the newly desired equipment alarm, job inhibit or release authorization ...");

c. means for checking the alert conditions when work in process data is updated (see page 3 paragraph 38 and page 4 paragraphs 55-56), and

d. means for sending real-time said alerts automatically to said customer when said alerts and conditions are met (see page 4 paragraphs 52-54, "... plays sounds, and provides requested information to the user ...").

It should be noted that the system of Fukazawa is set up for monitoring and controlling production at a manufacturing facility including a manufacturing execution system (MES). The

MES, as described in paragraph 5, is connected to many sensors in which enable the system to check against user's defined conditions for alerting user of statuses.

Regarding claim 29

Fukazawa teaches a system of alerting customers of manufacturing production status using the World Wide Web (Web) and Internet (see page 1 paragraph 2, "... remotely monitoring and controlling manufacturing operations ..." and paragraph 5, "The MES ... connected to sensors ... to monitor and control the manufacturing operation"), comprising:

a. means for allowing said customers to define their own alerts and conditions for said real-time manufacturing production status on a World Wide Web page (see page 3 paragraphs 47 and 48, "... a wireless device ... for monitoring and controlling the operation of manufacturing facility 10 ... send a request for a specific web page ...");

b. means for setting said alerts and conditions by product, lot, stage, and production status remotely by said customer using said World Wide Web page (see page 3 paragraph 39, "... permit entry of the newly desired equipment alarm, job inhibit or release authorization ...");

c. means for checking the alert conditions when work in process data is updated (see page 3 paragraph 38 and page 4 paragraphs 55-56), and

d. means for sending real-time said alerts automatically to said customer when said alerts and conditions are met (see page 4 paragraphs 52-54, "... plays sounds, and provides requested information to the user ...").

It should be noted that the system of Fukazawa is set up for monitoring and controlling production at a manufacturing facility including a manufacturing execution system (MES). The

MES, as described in paragraph 5, is connected to many sensors in which enable the system to check against user's defined conditions for alerting user of statuses.

Regarding claims 2 and 16

Fukazawa teaches wherein said Web page uses a standard browser for input by said customer (see page 3 paragraph 38, "... conventional web browser ...").

Regarding claims 3 and 17

Fukazawa teaches wherein said work in process data is updated to a central database (see page 3 paragraph 38, "... stores and updated by the web server 18 ...").

Regarding claims 4 and 18

Fukazawa teaches wherein function is called which sends said alert via electronic communication means to said customer when said conditions are met (see page 3 paragraph 43, "... Conventional communication protocols ... 802.11a, 802.11b, BlueTooth, ...").

Regarding claims 5 and 19

Fukazawa teaches wherein remote access is provided over said Internet controlled by user ID and password established by a server (see page 3 paragraph 48, "A user will initially make a connection ... and log in through any access or security ...").

Regarding claims 6 and 20

Fukazawa teaches wherein the defining of said alerts and conditions is done on formatted said Web page that is provided by said server (see page 3 paragraph 38, "... web server 18 ...").

Regarding claims 7 and 21

Fukazawa teaches wherein said Web page visually shows in real time said customers' said manufacturing production status (see page 4 paragraph 56).

Regarding claims 8 and 22

Fukazawa teaches wherein said input by said customer has the capability of being created, changed, and deleted (see page 4 paragraph 56).

Regarding claims 9 and 23

Fukazawa teaches wherein said server is connected to a database or databases (see page 3 paragraph 38).

Regarding claims 10 and 24

Fukazawa teaches wherein said alerts and conditions are contained in an alert database that is created by said server (see page 3 paragraph 38, " ... web server 18 ...").

Regarding claims 11 and 25

Fukazawa teaches wherein it is possible for a plurality of said manufacturing execution systems from a plurality of Fabs to be updating said database (see page 2 paragraph 31).

Regarding claims 12 and 26

Fukazawa teaches wherein each Fab has its own manufacturing execution system (see page 2 paragraph 32-33).

Regarding claims 13 and 27

Fukazawa teaches wherein said formatted Web page is in table form capable of displaying a plurality of jobs (see page 3 paragraph 39).

Regarding claims 14 and 28

Fukazawa teaches wherein said electronic communication means are Internet connected devices and telephone system connected devices (see page 4 paragraph 57).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to web-based systems for monitoring and controlling in general:

USPN 6,542,856 to Frantz et al.

USPN 5,847,957 to Cohen et al.

USPN 6,450,411 to Rash et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday - Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.** Responses may also be faxed to the **official fax number (571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

November 14, 2005